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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,644	12/28/2001	Gordon Haggott Beckhart	MCT-0103	4114

7590 07/03/2002

Law Offices of Dale B. Halling
Suite 311
24 South Weber St.
Colorado Springs, CO 80903

EXAMINER

TRAN, KHOA H

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,644

Applicant(s)

BECKHART ET AL.

Examiner

Khoa Tran

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12-28-2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

Drawings

The drawings are objected to because of the following:

Figure 1, the interior depth of the unified pod is incorrectly identified by the lead line that has only one arrowhead at its end, see page 4, line 9. It is suggested that both ends of the lead line should be terminated in an arrowhead.

Figure 2, both of the dash lines are not connected to the respective part to which they refer. Note that the dash lines should be connected to the tip 48 and to the base 46 of the U-shape plate. Further, the extraneous repeating reference numerals and their lead lines should be deleted in order to promote clarity to the drawings.

Appropriate correction is required.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "an exterior partial S-shaped cutout" in claim 7 and the retention springs that is designed to mate with a lip of a front opening unified pod in claim 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification is objected to because the members 38 and 38' are labeled as a spring member while the drawings do not show these members 38 and 38' to be the spring member. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4, 7, 9, 10, 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claims 4 and 18, the claims appear to be incomplete because it is unclear to a base of which structures applicants attempting to set forth, and to a tip of which structure the distance is being measured from for comparing to the interior depth of the unified pod. Further, the claim seeks to define elements of the claimed apparatus based on a comparison to the unclaimed and undefined elements that are not part of the claim invention. This is improper. Claim 9, it is unclear of what is being claimed. In particular, what are the two positions applicants desire to set forth for claiming? With respect to claim 10, it is unclear to what constitutes the first and second arms cutout? Claim 17 is doubly set forth the same pair of arms that already has been recited in claim 14.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 14, 16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Nyseth. The claims are of such breadth that they read on the wafer carrier of Nyseth. Nyseth discloses a semiconductor cassette reducer comprising:

- a first substantially U-shaped plate (152);
- a second substantially U-shaped plate (having lips 162);
- a plurality of wafer supports (27) connecting to the first and second substantially U-shaped plates; and
- at least two flexible retention disks/springs (164, 166) attached to the first substantially U-shaped plate. See Figures 1, 3, 5, and 7-9.

Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by A. L. Schreiber. The claim is of such breadth that it reads on the pottery support of Schreiber. Schreiber discloses a support rack comprising:

- a first substantially U-shaped plate (the uppermost top member 1) having a first pair of arms with an arm cutout (4);
- a second substantially U-shaped plate (the lowermost bottom member 1) having a second pair of arms with an arm cutout (4); and

a plurality of support members (the supports therebetween the uppermost and lowermost members) connects to the first and second substantially U-shaped plates. See Figures 1-5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-11, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nyseth as applied to claims 1-7, 14, 16, and 18 above, and further in view of Kwok. The embodiment Figure 9 of Nyseth does not teach the semiconductor cassette reducer having the wafer support columns for supporting semiconductor wafers. However, Kwok teaches the semiconductor wafer support columns (33) attach between the top and bottom of the U-shaped plates. See Figure 1. It would have been an obvious to one of ordinary skill in the art to provide the cassette reducer of Nyseth with the provision of supporting columns between the top and bottom plates as taught by Kwok in order to support the semiconductor wafers therein, because it is well-within the level of skill in the art to utilize the known features of the art for the purpose for which they are known.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nyseth in view of Kwok as applied to claims 1-11, 13-16, and 18 above, and further in view of

A. L. Schreiber. Schreiber teaches the pair of arms of the U-shaped plates each having an interior cutout (4). It would have been an obvious matter of design choice to one of ordinary skill in the art at the time of the invention was made to provided the modified U-shaped plates of Nyseth with the provision of an interior of cutouts as taught by Schreiber in order to have the cutouts on the plates for the aesthetic purpose, thus the modification does not structurally affecting its performance or it does not produce any new matter. With respect to claim 12, there is no disclosure or illustration in the drawings of the retention springs mate with a lip of a front opening unified pod, thus the claim cannot be further treat on the merits because any such rejection would require improper speculation as to the meaning of numerous terms therein the claim.

The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. Fujimori et al. ('782) and ('419), McKenna, Nyseth et al., Grunes, Cox et al., Tseng, Williams et al., Pfeiffer et al., Burrows et al., Sinha, Togawa et al., Hofmeister et al., Schulte, and Tateyama et al., are cited to show devices having similar configurations of design.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa Tran whose telephone number is (703) 306-3437. The examiner can normally be reached on Monday through Thursday from 8:30 A.M. to 7:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola, can be reached on (703) 308-2686. The fax phone number for this Group is (703) 305-3597 or (703) 305-3598.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

If the applicant is submitted by facsimile transmission, applicant is hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and M.P.E.P. 502.02). In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee which applicant is paying by check **should not be** submitting by facsimile transmission separately from the check. Responses submitted by facsimile transmission should include a Certificate of Transmission (M.P.E.P 512). The following is an example of the format the certification might take:

I hereby certify that this correspondence is being facsimile transmitted to the
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(Date)

Type or printed name of person signing this certificate:

(Signature)

Furthermore, please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the processing of your application; duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

Khoa Tran
June 20, 2002

A handwritten signature in black ink, appearing to read "Blair M. Johnson", written in a cursive style.

Blair M. Johnson
Primary Examiner